



JOINT MANAGEMENT PLAN REVIEW

Scoping Comments: Ecosystem Protection – Marine Reserves

The MBNMS received numerous comments from the public and the Sanctuary Advisory Council on the topic of marine reserves, and on the related topics of ecosystem conservation and fishing. A summary of these comments is presented below. This is not meant to be a quantitative display of comments received, as in many cases essentially the same comment was received multiple times from different individuals.

Note—The term (All) refers to comments directed to all three Sanctuaries (MBNMS, CBNMS and GFNMS), while MB refers to comments directed to MBNMS

Comments received during public scoping:

Public scoping comments received regarding ecosystem protection—marine reserves

- The Sanctuary should adopt marine reserves. (All)
- Fish and wildlife breeding habitats, submarine canyons, and giant kelp forests are some of the special areas within the Sanctuary that need protection. Marine reserves are needed and should be large enough to help the many species in trouble recover and also to provide insurance against disasters and management mistakes. (All)
- Strengthen the Sanctuary's Program of resource protection through zonal management, an important tool in achieving long-term sustainability of our large-scale coastal ecosystem. (All)
- The less than one percent of the Sanctuary that is currently fully protected, is insufficient to fulfill the Sanctuary's mandate of maintaining its natural biological communities and protecting, restoring, and enhancing its natural habitats, populations, and ecological processes. Appreciates regional approach to scoping process, to capture local issues. (MB)
- Concern that "sanctuary" is a misnomer since the MBNMS does not protect fish in any way.
- Describing sanctuaries as "Marine Protected Areas" leads to public confusion, because the definition of MPA used for the MLPA includes a restriction or prohibition of recreational or commercial fisheries. "Marine Managed Area" would be more appropriate. (All)
- Do not utilize a marine zoning approach. (All)
- The Sanctuary should not be involved in the State's MLPA process. (All)
- If marine reserves must occur, then they should not be located short distances from harbors, boat launch ramps, or boat rental facilities. These are the most practical, easily accessible, and popular areas to fish. (All)
- More resource protection regulations including no-take reserves. (All)
- Any fishing regulations that are developed should support the fishing community. (All)
- Any zones or regulations proposed by the Sanctuary which affect fishing should only occur if they are the result of a cooperative effort with the fishing and or aquaculture communities and they have the support of those communities. (All)
- Marine reserves in temperate environments are not effective. The sanctuaries should focus their efforts on partnering with other users to educate about impacts, and not on managing fisheries. (All)
- Sanctuary should assist CDFG with the MLPA process in banning fishing in Fitzgerald Marine Reserve. A 2-mile closure is too much, however a 1/2-mile closure would be better. (MB)
- Sanctuaries should "grow" marine reserves over the years. (All)
- Fishers should be compensated for marine reserve areas that have been taken out of access. (All)
- Sanctuaries should give financial support to research on marine reserves. Creation of reserves should be based on "good science". (All)
- Sanctuaries should actively support the State's Marine Life Protection Act (MLPA) process, in lieu of sanctuaries' adoption of reserves. (All)

Scoping Comments: Ecosystem Protection – Marine Reserves

- Marine reserves established by the State should be extended into federal waters by the National Marine Sanctuary Program. (All)
- There should be a marine reserve network across all three sanctuaries. Don't wait for MLPA. (All)
- The Sanctuary should not regulate fishing. Language in the management plan should clarify that. (All)
- More cooperation should occur between the State and Federal governments in setting up marine reserves. (All)
- The Sanctuary should be involved in Ricketts underwater park and the State Marine Life Protection Act process. (MB)
- Sanctuary should work closely with the California Department of Fish and Game, Pacific Fisheries Management Council, fishermen, divers, conservationists, and the public to establish marine reserves within Sanctuary waters. (All)
- Sanctuaries should engage as a full and active partner in the MLPA and PFMC MPA efforts, which should include roles in decision making, providing assistance such as scientific research, socioeconomic data collection, resource protection recommendations, stakeholder outreach and involvement, monitoring and enforcement, but not to defer to marine reserve processes under the jurisdiction of other agencies. (All)
- MBNMS, CBNMS, and GFNMS should be working closely with relevant state and federal agencies, to ensure that marine reserves and other MPAs provide adequate protection of marine biodiversity and habitat within the sanctuaries' boundaries. (All)
- Assess, quantify effectiveness of regional marine reserves at the ecosystem level. Investigate financial impacts to fishermen, resulting from reserves. (All)

Public scoping comments received regarding ecosystem protection and biodiversity in general

- Need more conservation in general. (All)
- Goal of MBNMS should be to protect and preserve. (MB)
- It is much better economically (and easier) to save species and ecosystems before they become endangered or compromised in some way. Protection now makes the most long-term sense. (All)
- More attention is needed for maintenance of the Salinas River (vegetation and wildlife). (MB)
- Sanctuary should better protect low tide reef areas at Pillar Point. (MB)
- Concerned about loss of species biodiversity and abundance, impacts to habitat, impacts to predator/prey interactions. (All)
- Any proposals to make multiple use equivalent to resource protection, to have a separate category of "minimal use", to exempt certain areas from jurisdiction, etc. should be viewed with caution. (All)
- Term "sanctuary" is a misnomer. True sanctuary status is nearly impossible to establish in the marine environment, save some marine caves or extreme deep-water sites populated only by resident species and devoid of any effects of ocean current and free from impacts of pollution. (All)
- Coastal habitat restoration is extremely important. (GF and MB)
- Consider regulation with long-term vision (erosion lasts longer than 50 years). (All)
- Management should strive for long-term sustainable use (e.g., not taking juvenile fish). Appreciates regional approach to scoping process, to capture local issues. (All)
- The Sanctuary needs to find the right balance between use and protection. (All)
- More protection is needed in general for the ecosystem and biodiversity. (All)
- Resource protection should be the main priority. (All)
- Sanctuary should manage the resources using a holistic watershed approach. (All)
- Strengthen resource protection; do not allow local control to undermine this. (All)
- Expand sanctuary concept to unify and make consistent resource protection, for better management of resources. (All)
- Use holistic management practices that focus on entire watersheds. (All)
- Sanctuary should advocate maintaining the vegetation in riparian corridors for filtration. (MB)
- Sanctuary should look at the big picture of overall environmental impacts, and manage the resources appropriately. For example trawling has significant impacts, yet much more attention is given to fiber optic cables. (All)
- Sanctuaries should ensure comprehensive coverage with overlapping jurisdiction, to improve resource protection. (All)
- Sanctuaries should continue to provide consistent habitat protection. (All)

- Provide protection and conservation to marshes and sloughs, and other wetlands. (MB)
- Recognize intrinsic values and aesthetics as well as ecological values. (All)
- Create more of a policy balance between conservation and use, with a strong educational program being the key to achieving this balance. (All)
- More protection of riparian ecosystems. (All)
- Sanctuary should consider ecological trade offs. In some cases terrestrial impacts from alternatives to Sanctuary restrictions are much worse. (All)
- The Sanctuary should be involved in enhancing near-shore ecosystems through research and staff involvement in other agency processes. (MB/GF)
- We urge the National Marine Sanctuary Program to ensure that any issues considered during JMPR process be considered in the context of the National Marine Sanctuaries Act's primary goal of resource protection. We strongly advocate for the adoption and enforcement of strong policies and regulations that provide maximum protection of Sanctuary resources. (All)
- Sanctuary should take immediate action to adopt a management plan to protect steelhead and salmon from predation by pinnipeds. (MB)
- Investigate agricultural certification of farms through such organizations as “Salmon Safe” in order to promote healthy fish habitat in the watersheds. (MB)
- The revised management plans should be designed to help recover species that are most at risk and should reflect a precautionary approach to resource management to avoid future species declines.
- Revised management plans should contain directives and timelines for developing specific action plans focused on protecting, and where necessary, restoring, natural habitats, populations, and ecological processes. Plans should also contain specific directives and management measures on certain issues. (All)
- Revised management plans should also outline enforcement, research, and monitoring needs associated with future marine reserve sites. (All)
- Link coastal health to ocean productivity. (All)
- Integrate marine research in resource management decisions. (All)
- Try thinking of the sanctuary as a gift as well as a resource. (All)
- Remember to think and plan as systemically as possible, not just about distinct and separate issues, but about all the connections and boundaries and overlaps: coastlines and jurisdictions and regions and ecosystems and partnerships and nexuses and all those connections. (All)
- “Seamlessness” should be the goal of Sanctuary management. (MB)
- Under present MBNMS administration, rules, guidelines and laws of the National Marine Sanctuaries Act (NMSA) and the Sanctuary Advisory Council (SAC) charter have been neglected, overlooked or dismissed to the detriment of conservation efforts of local organizations that have differing goals and objectives contrary to the MBNMS leadership. (MB)
- Sanctuary should work with land management agencies. (MB, GF).
- Need to coordinate with NMFS in the recovery plan for coho salmon. (GF, MB)

Public Scoping Comments Received Regarding Fishing and Kelp Harvesting

- Concerned about impacts from fisheries. (All)
- Fisheries are currently being micro managed, and regulation has increased, while practices have remained the same. (All)
- The fishing community supports programs such as the Salmon Stamp Program. (MB)
- The Gulf of the Farallones NMS was a good model for working with fishermen. (GF)
- There would be a loss of credibility (the Leon Panetta promise) if the Sanctuary gets involved in fishery regulation. (MB)
- The Sanctuary should realize that commercial and recreational fishing interests are two separate entities, and are not in agreement on all issues.
- Concerned about impacts from the live fish fishery on fish populations. (MB)
- Concerned about decline in catches by recreational fishermen. (All)

- Concerned about the live fish fishery, and depletion of fisheries by marine mammals. (All)
- Concerned about declining fish populations. Sanctuary should play a role in preserving fish populations, while preserving fishery lifestyles. (All)
- Concerned about impacts to fishes from catch and release recreational fishing. (All)
- Existing DFG/NMFS rules on by catch are wasteful. Sanctuary & Fisherman could work together on this. (All)
- Alternative foods (to kelp) are available for abalone aquaculture operations. (MB)
- Concerned with over fishing of geoducks and Horse neck clams. (GF)
- Concerned about over fishing such as abalone. (GF)
- The Sanctuary should not regulate fishing. (All)
- Concerned about agricultural runoff and its impacts upon fisheries. (All)
- The current language in the Federal Register with relation to fisheries regulation in the Sanctuary should remain. (MB)
- The Sanctuary should focus efforts on other activities, which impact fisheries (farming runoff and oil), leaving fisheries regulation to the California Department of Fish & Game and the National Marine Fishery Service. (All)
- The Sanctuary should explore fisheries regulation only in offshore federal waters, not State waters. Existing agencies do a better job, and more regulation is not necessary. (MB)
- The Sanctuary research program should provide fisheries data to California Department of Fish and Game. (All)
- Sanctuary should assist CDFG with enforcement, but should not create new regulations. (MB)
- The Sanctuary should seriously consider the contribution of sport fishing to the area's economy. (MB)
- Investigate the possibility of a consumer "fish tax". (All)
- Use money from fishing industry to fund monitoring and replenishment projects. (All)
- Sanctuary should regulate gill net fishing. (All)
- Sanctuary should not regulate fisheries in state waters. (MB)
- Sanctuary should increase education about fishing regulations. (MB)
- Consider use of Individual Transferable Quotas. (All)
- Clarify language about fishing. (All)
- Sanctuary should regulate spear fishing, by requiring a license and increasing fines. (MB)
- Do not become another layer of bureaucracy in dealing with fishing and dredging. (All)
- Sanctuary should play an education role rather than regulatory role with commercial fishing. (All)
- Fishing in the Sanctuary should be limited to techniques that do not produce by-catch, as do gill nets and bottom trawling. (All)
- The Sanctuary should endorse commercial fisheries within its boundaries. (All)
- The Sanctuary should ban all forms of net fishing. (All)
- Live fish fishery should be restricted or outlawed by the Sanctuary. (MB)
- Fishing gear should be examined for problems: non-degradable, entanglement. Sanctuary should look for ways to partner with existing agencies to address issue. (All)
- Look to other regions with fisheries collapsing and learn. (All)
- Sanctuary could work with PFMC using existing regulatory structures. (All)
- Recognize in writing that Sanctuary policies affecting fishing may integrate with management tools promulgated by the state and federal governments, but are not intended to augment or supersede them. (All)
- Number of sport and commercial fishing licenses should be limited, quotas should be enforced, and spot checks should be performed on catch of sport fishermen. (All)
- Sanctuaries must seek out more ways to limit by-catch, making gill netting economically feasible today and in the future. (All)
- Sanctuaries should take a stronger stand against gill netting. (All)
- Only fishing techniques that do not harm marine mammals should be permitted in the Sanctuary. (All)
- All fishermen should be required to pass a test, before being given a license, to show that they know how to reduce environmental impacts. (All)
- Treat shore fishermen separate from commercial and sport fishermen in regards to management and possible fishing closures. (MB, GF)
- If kelp harvesting is to be allowed, then it should only occur at a set distance from shore (1 mile), and quantity should be regulated. (MB)

- Have separate regulations for mechanical and manual kelp harvesting. (MB)
- Fish and Game should manage kelp harvesting. (MB)
- Do not change existing kelp harvesting regulations. (MB)
- Sanctuary should review the state kelp plan during their five-year review. (MB)
- Kelp harvesting should be restricted in a reserve along Cannery Row. (MB)
- Sanctuary should investigate the effects of kelp harvesting on a variety of kelp forest inhabitants, including sea otters. This should be adequately discussed in the final management plan. (MB)
- Sanctuary should further restrict kelp harvesting. (MB)
- The Sanctuary should prohibit mechanized kelp harvesting. (MB)

Comments Received from Sanctuary Advisory Council Members:

SAC Member Comments on Marine Reserves:

- Advise and partner with CDFG and PFMC on marine reserves these agencies adopt. By becoming partners and advisors with these agencies in the development of MPAs within the sanctuary, the probability of a successful process will be greatly enhanced. By working together, conflicts between jurisdictions would be limited and thus save time and resources.
- Protect Biodiversity by Adopting marine reserves. The MBNMS primary purpose is to protect living resources including biological communities, natural habitats, population, and ecological benefits [NMSA Sec. 1431(b)(3)]. There is wide scientific consensus on the effectiveness (and even necessity) of marine reserves in addressing such conservation goals.
- Protect biodiversity by MBNMS adopting more fully protected areas, marine reserves throughout the Sanctuary. It is important to have marine reserves in place before local nearshore fish stocks and other marine life are removed beyond the point of recovery. Research driven reserve site selection along with local input from the community is very important in terms of public access and benefit.
- Issue 4.3 (Management should focus on long-term sustainability) and Issue 4.4 (Protect biodiversity by MBNMS adopting more fully protected areas, marine reserves, throughout Sanctuary). Marine biodiversity is poorly documented and not well understood, yet we know it is severely threatened by human activity. Therefore we should do all we can to improve our understanding of it and to protect it. Research related to marine biodiversity, long-term monitoring and baseline data should all be high priorities. Marine reserves that prohibit significant extractive activities are one of the few ways to protect and preserve marine biodiversity and should be part of the sanctuary's resource management strategy.
- The sanctuary has the authority for comprehensive and coordinated conservation and management of marine areas. Biodiversity protection and ecosystem conservation is really the heart of the sanctuary program. One tool for biodiversity protection and ecosystem conservation is the development of marine reserves. In establishing marine reserves the Sanctuary program needs to work within the current marine reserve development process and get all user groups input.

SAC member comments on Biodiversity Protection and Ecosystem Conservation

- Revised management plan and future actions must focus on primary goal of resource protection, and Management should focus on long term sustainability. The health of the marine ecosystem is vitally important. The local communities must work closely with the Sanctuary to ensure that they do not have a negative impact upon the Sanctuary, and are engaging in activities that promote resource protection.
- Management should focus on long term sustainability. Ensuring long term sustainability is the underlying bedrock principle of a healthy ecosystem including habitat structure, species management, ecological processes and human

use patterns. The sanctuary allows for multiple use but the use must be cooperatively and affirmatively (pro-actively) managed for use that is compatible and allowable to the limits of sound resource protection.

- Clearly and strongly do all Sanctuary work in context of resource protection. Need to think and act BIG and DEEP, with a systems view of the whole habitat. Promote marine reserves as a tool of conservation.

SAC member comments on Fishing and Kelp Harvesting:

- Clarify that the Department of Fish and Game and NMFS are the agencies responsible for these regulations as per the original intent when the Sanctuary was designated. Any regulations or zone or advocacy for regulations for zones proposed by the Sanctuary should only occur if they are the result of a cooperative effort with the fishing and aquaculture communities and they have the support of these communities.
- Abide by existing language in Designation Documents and FEIS to limit role in fishing. Existing fisheries management agencies, tools and regulations should continue without overlaying yet another level of as of yet unproven regulation by the Sanctuary. Sanctuary's supporting educational and research roles should continue as complement to fisheries management agencies.
- Abide by existing language in designation documents and FEIS to limit role in fishing. The endorsement by the fishing industry of the creation of MBNMS was given with the understanding that California Fish & Game, NMFS, and the PFMC would be the lead agencies to regulate fishing activities within the MBNMS. These are the agencies that have the experience and resources to perform that task, not the sanctuary. If the sanctuary were to get involved with fishing regulation it would be comparable to reinventing the wheel and would waste limited taxpayer funds that could be better used in other conservation areas. It would, more importantly, signal to the fishing community that the commitment made to influence our decision to endorse the creation of the sanctuary was made in bad faith and would diminish any trust remaining between the fishing community and the MBNMS.
- Need to further restrict kelp harvesting. When the SAC and Sanctuary deliberated over kelp harvesting we made concessions to the kelp harvesters based on their statements that alternative abalone foods were not viable. One of the concessions that were made was to allow kelp harvesting in the proposed Ed Ricketts Marine Reserve. Since then we have found out that we were misled by the kelp harvesters. US Abalone's 1996 Stock Offering stated "US Abalone has tested various feeds for abalone, and has found acceptable alternatives to kelp". Consequently kelp harvesting's negative impacts on our marine resources is unwarranted. Some of the impacts being; killing or removal of kelp canopy invertebrates, removal of hiding habitat for juvenile fish, removal of resting area for sea otters, etc., etc.
- Fishing Enforcement: The Coast Guard, as a federal Law Enforcement agency has no position on whether MBNMS involves itself in fisheries regulation. However, we would urge that any change in the current status consult with the various stakeholder LE agencies (Cal F&G, NMFS, USCG, etc).
- See March 15, 2002 letter from Alliance. The sanctuary needs to leave fishery management to the bodies already involved in regulating it. The new management plan needs to clearly articulate that the sanctuary will not be involved in fishing regulation.